

• Appl. No. 10/085,612

Amendment dated November 26, 2004

Reply to Office Action mailed November 12, 2004

Remarks/Arguments

Amendments to the Claims

Claims 17, 18, 25, 26 and 44 are amended to clarify the location of the polymorphism in SEQ ID NO:4 that is correlated with reduced metabolism of a CY3A5 substrate. Support for this amendment is found in the specification at p. 14, lines 12-13.

Claim 17 is also amended to clarify the relationship between the different polymorphisms and reduced metabolism of the different substrates. Support for this amendment is found in the claim as filed and in the specification at p. 7, lines 18-25.

Claim 25 is also amended to clarify the different treatments that may be selected. Support for this amendment is found in the specification at p. 22, line 26 to p. 23, line 2.

Rejections Under 35 USC §112, Second Paragraph

The pending claims were rejected under 35 USC §112, second paragraph. The Office Action refers to several limitations in the claims as being indefinite. Applicants respectfully submit that the present amendment to the claims clarifies or deletes these limitations, and thus respectfully request reconsideration and withdrawal of this rejection.

Applicants respectfully submit that the application is in condition for allowance. Should any questions arise, or if Applicants can facilitate examination of this application, it is respectfully requested that Applicants undersigned Attorney be contacted so that any remaining issues can be resolved.

Respectfully submitted,

November 26, 2004

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